GOVERNMENT BUSINESS—BILLS
(contd.)

VIII. Statement of General Principles of the Bill further to Amend the Mysore Village Panchayat Regulation, 1926.

The GENERAL SECRETARY to GOVERNMENT (Mr. H. V. Ramasvami) explained the general principles of the bill as follows :—

"There is no adequate provision at present either in the Village Panchayat Regulation or in the Land Revenue Code to regulate the construction of buildings in rural areas adjacent to the municipal limits of cities and of important towns. Though under the provisions of Section 29 of the Village Panchayat Regulation, the control over the erection of buildings vests to some extent in the village panchayats, experience has shown that these bodies do not exercise much discrimination in the matter of issuing licences for building houses. This has resulted in large extents of agricultural land being unauthorisedly appropriated for building purposes and buildings have been constructed thereon in the neighbourhood of cities and towns without much regard to sanitary and other requirements. Further, the provisions of Section 63 of the Land Revenue Code are insufficient for the purpose inasmuch as they cannot be enforced in the case of inam lands.

"With a view to remedy the above defect, it is considered desirable that Government should take power to prohibit or regulate the construction of buildings in areas (including inam lands) adjoining cities and important towns but not included in the municipal limits and that a provision similar to that contained in Section 116 of the Mysore City Municipalities Regulation, 1933, Section 110 of the Mysore Town Municipalities Regulation, 1933, and Section 80 of the Mysore Minor Municipalities Regulation, 1933, should be embodied in the Village Panchayat Regulation also.

"In consequence of the proposed amendment of Sections 40 and 98 of the Mysore District Boards Regulation providing for the settlement of disputes between a District Board and a Village Panchayat, it is proposed to make a corresponding provision in Section 57 of the Village Panchayat Regulation by introducing the words 'between a District Board and a Panchayat' after the word 'District' in line 3 of sub-section (2) of that section."

Mr. W. H. HANUMANTHAPPA observed that the power proposed to be taken to prohibit or regulate the construction of buildings in panchayat areas would create difficulties in the way of the raiyats constructing even simple houses on agricultural lands. In rural parts it would be very difficult to get men to prepare plans acceptable to technical officers. Nor could poor agriculturists afford to build houses of special designs. They would be content with simple dwelling houses, and there ought to be no restrictions placed on the putting up of such structures in one's own agricultural land. Otherwise, it would needlessly create difficulties. Hence he was of opinion that the first part of the measure was unnecessary.

As regards the second part of the measure about introducing the words "between a District Board and a Panchayat" after the word "district" in line 3 of sub-section (2) of Section 57 of the Village Panchayat Regulation, he agreed to it as the proposal was only for co-ordination between District Boards and other local bodies.

Mr. V. V. IYER thought that in view of Section 209 of the Land Revenue Code, under which any one who unauthorisedly built houses on survey numbers could be evicted therefrom, there was no necessity for a separate provision as proposed in this behalf.

The SECRETARY to GOVERNMENT, DEVELOPMENT DEPARTMENT (Mr. M. Venkatanaranappa) replied that the provision in the Land Revenue Code did not apply to inam lands and that that was why the provision was considered necessary.

Mr. C. N. NARASINGA RAO, who next spoke, congratulated the Government on having brought in the measure. He pointed out that as cities

went on expanding, agricultural lands belonging to adjacent villages were also being gradually converted into building sites and houses constructed thereon without permission and without regard to sanitary principles, so that not only the cities and towns but also the villages suffered from the point of sanitation. He therefore thought that some provision was necessary to control the construction of buildings in all villages adjoining cities and towns. In this view, he was for amending the Land Revenue Code itself so that even villages not constituted into panchayats might be brought under check.

Mr. N. G. SANJIVIAH, in opposing the measure, said that there ought to be no restrictions for the construction of simple houses in the villages.

Mr. M. S. PUTTARAMA SETTY also shared this opinion.

Mr. P. SUBBARAMA CHETTY, however, was of a different opinion. He pointed out that at present many insanitary houses were springing up in villages adjacent to the City of Bangalore and when epidemics broke out in those villages, the public health of the city was also affected immediately. Probably this was the experience of the Mysore City Municipality also. The city municipalities had no power to prevent the springing up of insanitary houses in adjoining villages. It was therefore necessary that construction of such buildings should be regulated or even prohibited. He even thought that it would be better if the municipalities themselves could be empowered to grant or refuse licences for the construction of all buildings than Government reserving the power to themselves as proposed.

The FIRST MEMBER (Rajamantrapravina Diwan Bahadur K. Matthan) pointed out that no municipality could exercise its powers outside its jurisdiction.

Mr. B. N. BORANNA GOWDA thought that the proposed measure did not appear to be necessary in the case of the malnad where houses were few and far between. He would not mind its being passed with reference to maidan parts.

Mr. Tudki RAMANNA GOWDA also was of the same opinion.

Mr. K. MATTHAN observed that there was no idea of bringing the measure into force all at once in all parts of the State. It would be made applicable only to such of the village panchayats as were agreeable to it.

Mr. MEER MAHOMED SAHIB observed that so far as industrial towns were concerned, the labourers lived in suburbs adjoining such towns, because on the one hand they must live as near to their place of work as possible and on the other, they could not afford to live within the town itself on account of heavy rents. They might therefore have to build cheap houses, and by imposing restrictions on them even from the point of health and sanitation, they might be scared away altogether. The same experiment had been tried in malnad with calamitous results. Already many villages had become *bechirak*. If the measure under discussion was passed, depopulation of the villages would be precipitated. He therefore opposed the measure.

Mr. GURUSAMY-GOWDA opposed the measure. He pointed out that most of the people in the villages were illiterate, not knowing even to sign. It would be very difficult for such people to prepare plans and obtain licences and build houses in accordance with conditions imposed by the licensing authority. The village panchayats themselves employed no technical men who could judge whether the plans had been drawn up to scale and whether the construction was in strict accordance with the licence issued. No doubt the measure was calculated to improve villages. But he was of opinion that that object could be achieved only gradually and as people became more and more literate and developed a civic consciousness. Until then, measures like these would be of no material help to the villages. On the other hand they would cause them a lot of inconveniences and hardships.

Mr. K. H. RAME GOWDA also spoke against the measure. He pointed out that if it was passed, licences would be granted only after scrutiny at the time

of Jamabandi and until then, even farm houses might not be allowed to be constructed. This would mean great hardship to the raiyats who could not manage without farm houses.

Mr. P. SITHARAMIAH, who spoke in favour of the measure, observed that the apprehensions expressed by the previous speakers were ill-founded. The proposed measure was not meant for the good of the cities and towns only, but of the villages also since most of them lay close to the cities. For instance, if in a village a number of buildings were constructed on an agricultural land in a manner inconsistent with sanitary principles, there was no provision under which they could be demolished. If at all, fines could be levied on the owners. But in the City Municipalities Regulation Government had taken power to demolish any building erected contrary to conditions imposed. This provision had worked well and it was thought desirable to have a similar power under the Village Panchayat Regulation in the interests of the villages themselves. Further, as had already been stated, the village panchayats would first be consulted as to whether the measure could be made applicable to them. He therefore thought that the measure deserved whole-hearted support at the hands of the House.

The REVENUE COMMISSIONER (Mr. N. Madhava Rao), in replying to the debate, observed that the necessity for the measure had already been recognized by some of the previous speakers. Round about Bangalore and Mysore Cities, by the side of important roads, a number of houses had sprung up in all sorts of irregular ways, as a result of which sanitation of not only those localities but also of the adjoining cities had been considerably affected. The village panchayats concerned could themselves have prevented the construction of such buildings as control over the erection of buildings within their limits was already vested in them to some extent But experience showed that they did not exercise the power with due discrimination. Further, the provisions of Section 63 of Land Revenue Code were insufficient for the purpose inasmuch as they could not be enforced in the case of inam lands and village sites. Hence it was thought necessary to take power for Government to regulate or prohibit the construction of buildings in inam villages also. Nobody could deny that this action of Government was prompted in the interests of village panchayats themselves. It might also be noted that every concerned village panchayat would be consulted before making the law applicable to it. As regards municipalities, it was no new provision. And now, it was proposed to include the provision in the Village Panchayat Regulation. But in doing so, nothing radically different from the existing procedure was contemplated. Nobody need be afraid that the proposed measure would create hardships to the people in the village panchayats. As regards the difficulties complained of, *viz.*, that persons would not be available in the rural parts for preparing accurate plans, etc., it was not proposed that particular kinds of plans alone should be insisted upon. Perhaps even rough sketches might be accepted by the licensing officers. However, there need be no apprehension that the proposed measure would mean all hardships and no benefits.

The general principles of the bill were then put to vote and passed by a majority.

ADJOURNMENT MOTION.

Re Appointment of a Committee to revise and examine the Representative Assembly and the Legislative Council Regulations.

As previously permitted by the President, **Mr. K. CHENGALARAYA REDDY** moved:

"That the business of the House be adjourned to discuss a definite matter of urgent public importance, *viz.*, the recent appointment of a Committee for the examination and revision of the Representative Assembly and the Legislative Council Regulations and some of the rules and standing orders passed thereunder."

In doing so, he traced the circumstances leading to the Government Order dated 26th August 1935 appointing a com-

mittee of officials and non-officials for examining and suggesting modifications, if any, in respect of matters falling under the Representative Assembly and the Legislative Council Regulations and some of the rules and standing orders thereunder. He then explained the terms of reference of the committee and expressed the opinion that they were not quite exhaustive. For example, he observed that in connection with rules and standing orders the Government would have done well to include in the terms of reference questions like the desirability of the two Houses meeting oftener than at present and the possibility of having equal intervals between meetings of each of the two Houses. Again, it should be desirable, as in the case of the Indian Legislative Assembly and the Provincial Councils, to provide for members putting what were known as short notice questions. He further suggested enlargement of the terms of reference with a view to provide for the committee to discuss and recommend, if necessary, stricter enforcement of the provision that all legislative measures to be brought before the Legislative Council should invariably receive the previous approval of the Representative Assembly. In the next place, he would be glad if in connection with the frequency of the meetings, the committee were also permitted to recommend the duration of each session also. From all these points of view he wanted that the terms of reference be so liberalised as to permit of the committee going into all the rules and standing orders of both the Houses so as to enable them to make all reasonable recommendations without restrictions of any kind.

He was thankful that the Government had permitted, in the Government Order under reference, the committee to make recommendations revising the constitution of the Council and the Assembly though they had at first promised that the duty of the committee would be only to revise the rules and standing orders under the Regulations. But at the same time he felt that there were some unnecessary restrictions under contemplation by the Government as was evident from certain issues raised in the terms of reference, *viz.*, whether any one member could belong to both the Houses, the desirability of continuing the present arrangement of treating the Assembly as a constituency of the Council, etc. He for one would not welcome any suggestion to prevent any member from serving in both the Houses. He would have no complaint however if an assurance was given to him that these questions were raised only in order to enable the committee to go into all aspects of the questions relating to the powers and the privileges of non-official members of the two Houses. If this was their object, he would request the Government to allow full freedom to the committee in dealing with the questions referred to them so that the members might be at liberty to discuss issues like the total strength of the Assembly, an independent President for the Assembly and the Council, etc. Finally he suggested that the committee be enlarged so as to give representation to some more interests.

In seconding the motion, **Mr. D. S. MALLAPPA** said that the terms of reference included questions hinting at the desirability of treating the Representative Assembly as a constituency of the Legislative Council, limitations on urban constituencies, prevention of discussions relating to industrial concerns, etc. Each of these would, in his opinion, involve the curtailment of privileges already enjoyed by members of the two Houses. And at a time when members were yearning for enlarged powers, it would be very undesirable if Government thought of imposing restrictions or withdrawing such privileges. Secondly, the constitutional reforms under which members of the two Houses were enjoying these privileges had been graciously vouchsafed by His Highness the Maharaja and any recommendations at curtailing such privileges could only be made by a committee with adequate numerical strength and special powers, such as the Seal Committee. The present committee in its meagre strength and with cursory terms of reference to it could not be expected to do justice to a task of such importance and magnitude.

Mr. Hosakoppa KRISHNA RAO who spoke next supported the motion. He was particularly thankful that the Dewan-President had by admitting this adjournment motion afforded scope to the members to discuss in sufficient detail the question of the powers and privileges of the two Houses—the question which so far the Assembly had not had the opportunity to discuss elaborately. And now that such an opportunity had been afforded, he would request the Government to consider how far the two Houses deserved to be entrusted with larger powers and privileges than heretofore. He was not quite sure that a committee such as the one under reference would be in a position to do full justice to such an onerous duty. But he would be glad if the committee were not precluded from considering important questions not directly referred to in the terms of reference.

With regard to the apprehensions expressed by the mover and the seconder of the adjournment motion that the rights and privileges of the two Houses were proposed to be curtailed, he said that there was some room for such an apprehension though personally he did not believe that there was any such intention on the part of the Government. Perhaps no one would have entertained such misapprehensions, if the Government had appointed a committee merely to consider any defects noticed in the working of the two Regulations and the rules and standing orders thereunder. But members were rather perturbed when they saw that questions relating to the constitution of the two Houses were also included in the terms of reference. For example, the total strength of the Assembly was one of the questions to be considered. That perhaps might mean that a change was contemplated which ultimately might not be welcomed by the non-official public. He was not quite sure if a small committee was competent to make recommendations on such vital matters. If a change was contemplated at all, he said it should be to enhance the powers and the prestige of the two Houses. The non-official members had discharged their duties with a great sense of responsibility through a long period of 12 years. As such they deserved to be trusted with a further instalment of larger powers. He would appeal to the Government not to let such members stagnate.

Among the terms of reference which caused particular concern to members was the one relating to the necessity or otherwise of keeping on the Representative Assembly and the Legislative Council as two distinct bodies. He hoped that nobody would suggest the abolition of the Legislative Council. The only point of doubt therefore that such a term of reference might imply would be whether it was worth while keeping on the Representative Assembly. His own opinion on that point was that the Assembly had done very good work for a very long time having been started at a time when no Indian State knew anything like a democratic institution. The question therefore for consideration at the present time was not whether the two Houses deserved larger powers and enhanced status but the exact measure of further advance to be allowed in their case. The committee now appointed, he repeated, was not weighty enough to make recommendations in this important respect. For, even if it made recommendations on the questions referred to it, it was not likely that the Government would take satisfactory action on such recommendations. The Government had in the past appointed too many committees and received too many reports, on some of which no action at all had been taken. The present was a time when there was political advance in every country. Mysore also had made some progress and it would be a great pity if it was not enabled to witness better progress in the days to come. In this view, he requested the Government to suitably improve the personnel of the committee as also its terms of reference.

At this stage, **Rao Sahib M. RAMASWAMI** enquired whether the intention of the Government was to pass orders straightaway on the report of the committee when received or to place

the report before the Assembly for an expression of its views before action was taken on the recommendations contained therein.

The FIRST MEMBER (Rajamantrapravina Diwan Bahadur K. Matthan) stated that a reply to this would be furnished in the course of the Government's statement at the end of the discussions.

Mr. H. B. GUNDAPPA also supported the adjournment motion. He said that this motion would not have been tabled if the terms of reference had included the question of improving the position and powers of the two Houses. The terms, as stated in the Government Order of 26th August 1935, had caused certain misgivings that the Government were perhaps contemplating a delimitation of constituencies on the lines of the action just now under contemplation in the British Indian Provinces. There was little in common between the Mysore State and British Indian Provinces, and as such there was no justification in contemplating such action in this State.

Mr. K. MATTHAN assured the member that the restriction of membership referred to in the terms of reference was proposed on the lines of action proposed to be taken only with regard to the Indian Legislative Assembly and the Council of State and not with regard to provincial Councils.

Mr. H. B. GUNDAPPA then said that he did not see any reason why Government should think of restricting membership to only one of the two Houses in the case of one and the same individual. He did not know whether Government wanted in their heart of hearts to prevent leaders of public opinion from influencing decisions in both the Houses. He was afraid that even the best of recommendations made by a committee pursuing the lines suggested in the terms of reference would only lead to reactionary and restrictive legislation and not to a widening of the powers and the prestige of the constitutional bodies. He would have been glad, on the other hand, if the terms of reference had included the appointment of a non-official president and a non-official vice-president to each of the two Houses. He would beg of the Government to think of giving such larger powers to the Assembly and the Council and not to catch the contagion of restrictive legislation from British India. In conclusion he also begged that the constitution of the Legislative Council should be so liberalised as to provide for a non-official elected majority so that the State might progress on real democratic lines.

Mr. V. VENKATAPPA emphasized that the Legislative Council should contain more elected representatives of the people and also representatives returned by all the important interests of the State. He added that he had great respect for the individual officers and non-official gentlemen appointed as members of the committee under reference but that the committee as a whole was not such as to create the hope that any great political advance would be recommended by it. In the next place, as had already been explained by the previous speakers, the terms of reference of the committee were also not altogether satisfactory. The Dewan, in his opening Address to the Assembly, had stated that Mysore was going to be part of a big federal unit. If that was his hope, the speaker asked what measures of political advance had been contemplated by Government and what equipment they were hoping to provide for the people with which to discharge their increased responsibilities in the days to come. The committee could not be of much use in these respects, and its appointment, if at all, would only serve as an eye-wash. It was a pity that the non-official element in the two Houses was not enjoying all the powers and privileges which outsiders were given to understand they were enjoying. For example, Mr. C. Y. Chintamani had stated in his recent Convocation Address at the Mysore University that there was an elected non-official majority in the Mysore Legislative Council. This was meant as a compliment to the administration on its apparently wide outlook and political sagacity. There would have been no complaint from the non-official public if

these were really so. Even now he would request the Government to see that the powers of the two Houses were enhanced on these and other progressive lines. And unless Government promised to accede to this request, the speaker was afraid that the appointment of the committee under reference would not cause satisfaction to the general public. With these remarks he supported the adjournment motion.

Mr. M. A. GOPALASWAMI IYENGAR, in further supporting the adjournment motion, said that the object of the movers was to express their dissatisfaction at the terms of reference contained in the Government Order of 26th August 1935. He was tempted to draw a comparison between the march of events in Mysore and that in British India. As a result of political awakening in British India the entire nation insisted on political reforms and the English Parliament went on appointing committees and gaining time, repeatedly promising India in the meanwhile a suitable measure of political progress. Similarly in Mysore, within the past 12 years, a large number of representations and resolutions were being brought before the two Houses for the transfer of a substantial measure of power to non-official hands, and the Government having been indifferent throughout and sometimes, even averse to granting such reforms, had begun to pursue the tactful policy of appointing committees to consider matters, sometimes less important than those already considered and sometimes even opposed to popular representations. He was therefore inclined to agree with the previous speakers in pressing for a thorough revision of the terms of reference with the one sole aim of exploring all possible avenues of materially improving the constitutional position of both the Assembly and the Council.

Mr. Belur SRINIVASIENGAR also spoke in favour of the adjournment motion. He regretted that the subjects of Mysore should have been put to the painful necessity of begging the administrators who were of their own kith and kin for a further measure of political reforms, and this at a time when all neighbouring presidencies were receiving definite assurances of such reforms from their alien rulers. Thirteen years after the Proclamation of His Highness promising continuous political progress, the Government had just passed the order under reference which in effect would curtail the privileges already enjoyed by the two Houses. It looked to him that certain questions included in the terms of reference were closed issues, such as whether there should be eight members elected by the Representative Assembly to the Legislative Council. The committee under reference had been appointed by Government in pursuance of a promise that its duty would be to examine the rules and the standing orders under the two Regulations and certainly not to go counter to the spirit of His Highness' Proclamation and the Regulations promulgated in pursuance thereof. If this was so, it was altogether unnecessary and also unfair for Government to have included in the terms of reference the question whether one and the same elected member could sit as member of both the Houses. No doubt the question had suggested itself to the Government on the analogy of events in British Indian Councils. But he would ask why the Government of Mysore had also not similarly thought of giving non-official presidents to the Mysore Legislative Council and the Representative Assembly. No doubt, Mysore occupied a premier position among Indian States, but that certainly was no reason why she should not make further progress. The appointment of a non-official president to each of the two constitutional Houses would certainly be a step in this direction. The Government had taken the non-official public of the State into confidence in the past. The confidence had never been misused. It was up to the Government therefore to take them further into confidence and give them larger powers and privileges. If it was true that trust begot trust, the corollary that distrust begot distrust was also true. The terms of reference of the committee under adverteuce

betrayed a want of trust on the part of Government and this would not augur well for the future of the State. The Government which had the best interests of the State should also grant that non-official members of the two Houses were equally interested to secure such interests and would never betray the confidence that His Highness' Government might repose in them. In this view he also pressed for a liberalisation of the terms of reference. Otherwise, members would be obliged to entertain misgivings that Government were perhaps seeking to curtail the existing powers and privileges. He concluded with the appeal that the present was the best time for His Highness to transfer a substantial measure of powers to the two Houses so that the Model State of Mysore might continue to keep up its proud place among all the Indian States.

At this stage, **Mr. G. CHANNAPPA** moved for closure of the debate.

Mr. B. S. PUTTASWAMY seconded it.

Thereupon the motion was put and passed unanimously.

Mr. K. CHENGALARAYA REDDY requested the Government to make a statement of their attitude with regard to the adjournment motion before he was called upon to exercise his right of reply.

Mr. S. K. VENKATARANGA IYENGAR stated that under standing orders, Government could not make any statement before the mover had replied to the discussions and so he suggested that the mover be called upon to exercise his right before the attitude of Government was explained to the House.

Mr. K. MATTHAN, however, did not agree in this view and stated that the Second Member of Council would make a statement.

The SECOND MEMBER (Rajamantrapravina S. P. Rajagopalachari) prefaced his reply to the debate with a statement relating to the circumstances leading to the appointment of the committee under reference. In December 1934, some members of the Legislative Council brought to the notice of the Government the need for an examination of the working of the Representative Assembly and the Legislative Council Regulations and the rules thereunder with a view to see what changes, if any, were called for in the Regulations as well as the rules and standing orders relating to the two Houses in the interests of efficient dispatch of business and suggested that Government might appoint a small committee to go into the questions and make recommendations to them. Even apart from that, certain defects in the working of the rules had also come to the notice of Government directly. This was the reason why the Government had included in the terms of reference certain questions not referred to in the course of the December Session of the Legislative Council. Neither the Government nor the members of the Legislative Council had ever contemplated the appointment of a big constitutional reforms committee. All that was contemplated was the appointment of a small committee for revising the rules. But this by itself could not justify the objection taken by some of the members of the Assembly on the present occasion to the inclusion of the constitution of the Houses in the terms of reference. On the other hand, therewas definite need for including such questions. For example, in connection with urban constituencies, the maximum number of members permitted under the Regulation was only 50 against which there were already 46 in the Assembly. Recently, certain town municipalities which were not enjoying the privilege of returning members to that body had laid a just claim for an extension of the privilege to them and in accordance with the rules, the Government was obliged to order that the same be extended in their cases. This had naturally led to one practical difficulty, *viz.*, that if each town municipality was to enjoy this privilege, the maximum number stipulated under the Regulation would have to be exceeded. Government therefore had to choose between two alternatives, *viz.*, to raise the maximum or to deny the privilege in particular cases. That was the reason

why the question came to be included in the terms of reference.

Another question raised related to the desirability of continuing the present arrangement of treating the Representative Assembly as a constituency of the Legislative Council. The question of direct election *versus* indirect election had always remained an open question and was constantly being discussed. It was also being hotly debated upon in connection with the formation of a Second Chamber in British India. What was the objection in taking up similar questions so far as the constitutional Houses in the State were concerned? No doubt, the Government were free to discuss and decide the questions by themselves, but a committee having been under contemplation, they thought that it would be a matter for public satisfaction if the opinion of the committee was taken with regard to that question. It was for a similar reason that Government had also, subsequent to the orders already passed, referred to the committee such questions of importance to the non-official members, like freedom of speech, exemption from serving as jurors and assessors, exemption from being arrested or detained in prison under civil process when the Representative Assembly and the Legislative Council were in session, which were calculated to add to the prestige of non-official members. Some of these questions had been suggested by a certain member of the Assembly, and some others had been taken up on Government's own initiative. But the mere addition of such questions to the terms of reference did not mean that the committee was expected to go into all the matters concerning the constitution and working of both the Council and the Assembly.

In the course of the discussions, some of the speakers had referred to certain questions not having been included in the terms of reference. If those members had addressed the Government in the matter, the speaker said that there would not perhaps have been any objection to including them also in the terms of reference. Instead of doing so, it was not right on the part of the members to complain that certain questions had not been included in the terms of reference and for that reason to suggest that the business of the House be adjourned as if any surprise had been sprung upon the Assembly by the Government.

In regard to the complaint that the committee did not contain an official majority, he observed that such a statement if seriously made would be nothing but truth. Leaving the Secretary out of consideration, there were five non-official members on the committee against four officers and including the President, there would be only five officers.

Mr. K. CHENGALARAYA REDDY said that he feared that the official element might gain the upper hand in cases where the President exercised his casting vote.

Mr. S. P. RAJAGOPALACHARI replied that there should be no reason to anticipate the need for a casting vote as a matter of course. So far as the constitution of the committee was concerned, he stated that it was similar to the constitution of the Seal Committee.

As regards other issues concerning the merits of the case, the speaker said that he was not prepared to go into them because in a sense the matter was *sub judice* and it might not be proper to anticipate what the recommendations of the committee were going to be.

With reference to the enquiry of *Rao Sahib* M. Ramaswami whether the report of the committee would be placed before the House for an expression of its views in advance of orders of Government on the points raised, he stated that the Government did not just then see any objection to placing the report before the Assembly though he could not make any definite assurance on that point.

On the whole, he did not see many points of difference between the Government and the mover of the adjournment motion and his supporters. No doubt the latter had referred to questions not included in the terms of reference Government had, on suggestions from Members of the Assembly, added to the

terms of reference in the past and there was nothing to prevent the Government from doing so in the future. In fact if any other items had been suggested in time, Government might have included them also. In conclusion, he did not see that any object would be gained by the adjournment motion being pressed to a division. After all, sometimes no special significance attached to the result of voting and in this case it would be particularly so in view of the fact that the Government and the members of the Assembly had expressed themselves candidly before each other.

Mr. K. CHENGALARAYA REDDY, in the course of his final reply, stated that the chief object of the adjournment motion was to emphasise the point that it was unnecessary for the Government to have included in the terms of reference questions relating to the constitution of the two Houses. The reply of Government to this point was that these had been included since they were already open questions. If that was so, he would ask why all other open questions had similarly not been included in the terms of reference. He would for this reason repeat the request that Government, having once agreed to add questions of such fundamental importance to the terms of reference once announced, should now agree, in view of the discussions in the Assembly, to widen the terms of reference suitably on the lines suggested by several members. He wound up with the appeal that in addition to enlarging the terms of reference, the personnel of the committee should also be suitably strengthened.

Mr. K. MATTHAN then said that the Government had no intention to alter the functions of the committee under reference so as to make it into a sort of a Simon Commission, to go into the whole question of constitutional reforms, but that Government would be prepared to consider any specific suggestions made with regard to the work of the committee. It was unnecessary, therefore, in his opinion, for the House to discuss the question any further. It was open to the mover either to press the motion to a division or not.

The mover pressed the motion to division. It was accordingly put and *carried.*

The Assembly then adjourned at 6-15 p.m. to meet again at 12 of the clock the following day.

FIFTH DAY.

Saturday, 12th October 1935.

The House reassembled at 12 of the clock.

QUESTIONS AND ANSWERS—
(contd.)

Business transacted during Assembly Sessions.

Q.—34. Messrs. Bagamane DEVA GOWDA and **SIDDALINGAPPA SETTY** (Chikmagalur Taluk); **K. MALLE GOWDA** and **HUTCHE GOWDA** (Mudgere Taluk); **N. M. SIVALINGAPPAIYA** and **K. THIMME GOWDA** (Kadur Taluk); **C. R. NIRVANAPPA SETTY** (Special Interest); **D. V. HALAPPA** (Birur Municipality); **HANJI BASAPPA** (Tarikere Taluk); **M. THIMMAIYA** (Tarikere Municipality) and **M. S. DYAVE GOWDA** (Koppa Taluk).—Will the Government be pleased to state

(*a*) the number of representations, interpellations, resolutions and bills brought before the Representative Assembly at each of the Budget and the Dasara Sessions in the years 1922, 1928 and 1934, and the duration of each of these sessions;

(*b*) (i) the number that came up for discussion, and (ii) the number that did not so come up;

(*c*) (i) the number accepted by Government, and (ii) the number rejected by them;

(*d*) the number of speeches made on the budgets of the respective years;

(*e*) the alterations effected in the said budgets;

(*f*) the changes in the constitution of the Assembly and the right of its members in the respective years?